

Serial No. 10/725,934
Amendment dated August 31, 2006
Reply to Office Action of June 2, 2006

Docket No. K-0588

REMARKS/ARGUMENTS

Claims 1, 3 and 5-20 are pending in this application. By this Amendment, claims 1, 3, 5, 6, 10 and 20 are amended, and claims 2 and 4 are canceled without prejudice or disclaimer. Support for the claims can be found throughout the specification, including the original claims, and the drawings. Withdrawal of the rejections in view of the above amendments and the following remarks is respectfully requested.

Entry of the amended claims is proper under 37 C.F.R. §1.116 since the amendments: (1) place the application in condition for allowance (for the reasons discussed herein); (2) do not raise any new issues requiring further search and/or consideration (since the amendments amplify issues previously discussed throughout prosecution without incorporating additional subject matter); (3) satisfy a requirement of form asserted in the previous Office Action; and/or (4) place the application in better form for appeal (if necessary). Entry is thus requested.

I. Allowable Subject Matter

The Examiner is thanked for the indication that claims 4-7, 10-13 and 19 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. The subject matter of allowable claim 4, as well as intervening claim 2, has been incorporated into independent claim 1, and allowable claims 5, 6 and 10 have been rewritten in independent form. Accordingly, it is respectfully submitted that independent claims

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1, 5, 6 and 10, as well as claims 3, 7-9 and 11-19, which depend respectively therefrom, should be in condition for allowance.

II. Hughes

The Office Action rejects claims 1-3 and 15-17 under 35 U.S.C. §102(b) or, in the alternative, under 35 U.S.C. §103(a), over U.S. Patent No. 3,198,238 to Hughes (hereinafter “Hughes”). Claim 2 is canceled. The rejection, insofar as it applies to remaining claims 1, 3 and 15-17, is respectfully traversed.

As set forth above, the subject matter of allowable claim 4 and intervening claim 2 has been incorporated into independent claim 1. Accordingly, it is respectfully submitted that independent claim 1 is allowable over Hughes, and thus the rejection of independent claim 1 under 35 U.S.C. §102(b), or, in the alternative, under 35 U.S.C. §103(a), over Hughes should be withdrawn. Dependent claims 3 and 15-17 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

III. Hollingshead

The Office Action rejects claims 9 and 18 under 35 U.S.C. §102(b), or, in the alternative, under 35 U.S.C. §103(a), over U.S. Patent No. 5,186,620 to Hollingshead (hereinafter “Hollingshead”). The rejection is respectfully traversed.

Dependent claims 9 and 18 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features.

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Accordingly, it is respectfully submitted that the rejection of claims 9 and 18 under 35 U.S.C. §102(b), or, in the alternative, under 35 U.S.C. §103(a), over Hollingshead should be withdrawn.

IV. Sigler

The Office Action rejects claims 8 and 14 under 35 U.S.C. §102(b) or, in the alternative, under 35 U.S.C. §103(a) over U.S. Patent No. 5,433,602 to Sigler (hereinafter "Sigler"). The rejection is respectfully traversed.

Dependent claims 8 and 14 are allowable at least for the reasons set forth above with respect to independent claim 1, from which they depend, as well as for their added features. Accordingly, it is respectfully submitted that the rejection of claims 8 and 14 under 35 U.S.C. §102(b), or, in the alternative, under 35 U.S.C. §103(a) over Sigler should be withdrawn.

V. Bray and Maricic

The Office Action rejects claim 20 under 35 U.S.C. §103(a) over U.S. Patent No. 790,714 to Bray (hereinafter "Bray") in view of U.S. Patent No. 6,190,163 to Maricic et al. (hereinafter "Maricic"). The rejection is respectfully traversed.

Independent claim 20 recites, *inter alia*, a flame holder, disposed at the outlet end of said mixing pipe, adapted to separate the gas-and-air mixture exiting said mixing pipe into a complex plurality of jetted streams, the flame holder comprising an annular hub having a center flame hole and a plurality of discrete inner wings radiating from the annular hub into the center flame

hole. Bray neither discloses nor suggests at least such features, or the claimed combination of features. Further, Maricic fails to overcome the deficiencies of Bray.

Bray discloses a burner for an incandescent gas light, including a tip A inserted into the end of a tube H. The tip A has a stacked concentric top layer C and bottom layer D, with two concentric rings of orifices B in the top layer C, and four concentric rings of smaller orifices E in the bottom layer D. A hole F is formed in the center of the tip A, with grooves G formed in the walls of the hole F. The hole F and grooves G are best shown in Figures 2 and 4 of Bray.

The hole F and grooves G are formed to carry/support a mantle rod and a clip (see lines 94-100 of Bray). Thus, no gas, or gas/air mixture, or flame, is able to exit through the hole F. Rather, the placement of the mantel rod into the hole F forces the gas/flame out through the concentric orifices D and E. Thus, Bray neither discloses nor suggests a flame holder which includes an annular hub having a center flame hole, as recited in independent claim 20, let alone a flame holder which has a plurality of discrete inner wings radiating from the annular hub into the center flame hole, as recited in independent claim 20.

Further, Maricic is merely cited as allegedly teaching a mixing tube and an igniter, and thus fails to overcome the deficiencies of Bray. Accordingly it is respectfully submitted that independent claim 20 is allowable over the applied combination, and thus the rejection of independent claim 20 under 35 U.S.C. §103(a) over Bray and Maricic should be withdrawn.

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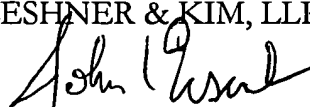
VI. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. If the Examiner believes that any additional changes would place the application in better condition for allowance, the Examiner is invited to contact the undersigned, **JOANNA K. MASON**, at the telephone number listed below.

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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